

**Town of Seymour
Board of Finance**

Minutes

**Tuesday, November 23, 2010 at 7:00 PM
Norma Drummer Room, Seymour Town Hall**

Members present: Mark Thompson, Bill Paecht, Bill Sawicki, Peter Jezierny, Michelle Walsh, Jay Hatfield and Kristen Harmeling

Others present: Paul Roy, Doug Thomas, Frank Loda, Tony Caserta, and Colleen Fries

Item # 1 – Call meeting to order

The Chairman, Mark Thompson, opened the meeting at 7:03 PM.

Item # 2 – Pledge of Allegiance

Everyone saluted the Flag and recited the Pledge of Allegiance.

Item # 3 – Seating of Alternates

There were no alternates to be seated.

Item # 4 – Approval of the Minutes

An amendment was made to the October 26, 2010 BOF minutes. Jay Hatfield is to be added as a member present.

Item # 5 – Correspondence/Vacancy

The BOF received a letter of resignation from Len Greene.

Motion was made to seat Jay Hatfield on the BOF to replace Len Greene

Motion: Peter Jezierny

Yes: 5

No: 0

Second: Michelle Walsh

Abstain: 1

Kristen Harmeling

Item # 6 – Public Comment

Len Greene thanked the members of the board and stated that it had been a pleasure to work for the people of Seymour. He said that he was looking forward to working with the BOF in his new capacity as state representative for the Town of Seymour. Mr. Thompson wished Len best of luck at the state capital.

Item # 7 – Remarks from the Chair

At the previous meeting, Mr. Thompson stated he would attend the November 18 meeting of the library board for purposes of reviewing the Wooster Trust. Mr. Thompson said he was joined by Bill Paecht and Doug Thomas, the Finance Director. Messrs. Thompson and Paecht were satisfied with the diversification, performance and oversight of the Wooster Fund. The fund is yielding approximately 2 percent annually and is generating approximately \$3,800 per month for the library.

- **FOI Response Policy**

At the last BOF meeting, a motion was made to have its chairman meet with the Board of Selectman and express the concerns of the board regarding the FOI response policy as currently written. Mr. Thompson said he asked to be included on the agenda for the Board of Selectmen's November meeting, but the BOF's request to be a part of that agenda was denied. Mr. Thompson was informed by the first selectman that if the BOF wanted to communicate any concerns it may have relative to the FOI policy, the board would have to bring it up under public comment. Mr. Thompson expressed disappointment in not being included on the BOS agenda, and he added he was not aware of any board in town ever being denied an opportunity to formally address another group. Mr. Thompson said the BOF, as a courtesy, always allows any board or commission to address the BOF and he was frustrated the same courtesy was not extended to the BOF.

Mr. Thompson next noted that after the October 26, 2010 BOF meeting, he was approached by an individual who expressed surprise that Mr. Thompson asked earlier that evening whether town hall staff had any outstanding requests for financial information, or whether any complaints had been filed with the FOI Commission. This same individual told Mr. Thompson that there was a FOI complaint filed with the Commission, and Mr. Thompson was a named respondent to the complaint. Mr. Thompson then referred to page 5 of the October 2010 BOF minutes where it states he explicitly asked town hall staff if the previous requests for financial information had

been fulfilled, and/or whether any complaints had been filed with the FOI Commission. Mr. Thompson reminded the BOF the first selectman responded during that October 2010 meeting there were *no issues involving FOI requests or complaints*; and Mr. Thompson said the BOF was clearly misled by the first selectman's response. The chairman next shared with the board the five pieces of communication he had received, well after the fact, indicating a complaint had been filed. Mr. Thompson said he received the correspondence for the first time more than 2 ½ months after the complaint was filed with the FOI Commission. Mr. Thompson vehemently stated town hall staff had put him in personal financial jeopardy should the FOI Commission decide to assess a penalty in connection with the matter. Mr. Thompson noted staff neglected to follow its own recently promulgated policy concerning who shall be responsible for fulfilling requests for information by failing to inform the chair of the complaint. Mr. Thompson said because of these multiple non-actions by staff he felt compelled to retain an attorney and submit his own response to the FOI Commission.

Mr. Thompson also shared that immediately following his remarks to the BOS during its November 2010 meeting; he was approached by the chairs of two other boards/commissions in town who asked if the new FOI response policy applied to them. Mr. Thompson responded the policy, in fact, did apply to anyone who chairs a board or commission. Mr. Thompson noted it was ironic that chairs of other boards or commissions were now personally responsible for responding to requests for information and yet they weren't aware the policy even existed.

After a spirited discussion, Mr. Thompson summarized it was unfair to make part-time unpaid volunteers responsible for handling request for information from the public when the town has full-time paid staff who have immediate access to town counsel and, in most cases, possess the information that is requested. Mr. Thompson said the BOF was owed an apology for not being recognized at the last BOS meeting, for being misled at its last meeting concerning the existence of a FOI complaint, and for staff's failure to keep the chair apprised that he was a named respondent in a complaint which could result in a fine against him.

Mr. Roy responded the FOI policy will be on the agenda for the next BOS meeting.

■ **WPCA**

At the previous BOF meeting, a motion was made to have staff prepare a cash flow or rate analysis of the WPCA account, if one didn't already exist, and present the information to the BOF at its October meeting. Mr. Thomas, the finance director, said he received a response from the WPCA indicating it would not provide the BOF with

any information. Mr. Thomas distributed a copy of the WPCA's November minutes showing the agency's refusal to cooperate. The WPCA said the BOF does not approve the WPCA budget, nor is the WPCA accountable to the BOF. Mr. Sawicki was surprised by the WPCA's refusal to share information and he strongly suggested the first selectman and the BOS might want to intervene. Mr. Thomas provided the BOF with WPCA bank statements indicating one account was for cash reserves the other was operating cash.

Motion the BOF address its concerns to the BOS regarding the WPCA unwillingness to provide the BOF with financial information.

Motion: Bill Sawicki
Yes: 7

No: 0

Second: Bill Paecht
Abstain: 0

Mr. Thompson asked Doug Thomas to send copies of the most recent WPCA budget on file in the town clerk's office to each member of the BOF.

■ **Charter Revision Commission**

Mr. Thompson reminded the board the Charter Revision Commission is currently studying Chapters 12 & 13; and both sections relate to the budget process followed by the town.

A discussion ensued concerning the previous year's budget process. Mr. Jezierny stated it was unclear what the town's minimum financial obligations were should a budget fail to pass. Ms. Harmeling said the language as to who actually prepares the budget needed to be clarified and strengthened. Michelle Walsh said the June 15 deadline for adopting a budget needed to be adjusted. Mr. Sawicki said it should be made clear all town agencies, boards, and commissions must submit annual budgets to the BOF.

Mr. Thompson said he would record member's comments and pass them along to the Charter Revision Commission. Mr. Thompson made it clear the suggestions would be made for the members' of the BOF as individuals and not for the BOF as a group.

- **Economic Development Commission and Advisory Committee**

Mr. Thompson said the BOF received a copy of a letter which was sent to the first selectman from the Economic Development Commission stating that the director position should be an employee of the Town of Seymour. The Economic Development Commission does not recommend using a consultant for this position.

- **October BOE Summary Management**

Mr. Thompson distributed for information a copy of the October 2010 financial report from the BOE.

- **Letter of Resignation from the Vice Chairman for the Recreation Department**

Mr. Thompson said he felt compelled to share with the BOF a letter of resignation from the vice-chair of the Recreation Commission since it identified several areas of financial concern for the BOF. Mr. Paecht asked Mr. Roy if he had addressed the financial issues outlined in the letter, to which Mr. Roy responded that he did not feel comfortable discussing the issues without the appropriate individuals being present. Mr. Roy acknowledged he looked into the concerns at the Recreation Department by its former vice-chair and he felt they were either rectified or they were unfounded.

Ms. Harmeling mentioned during the last budget cycle the BOF spent a fair amount of time trying to understand which programs at the Recreation Department required town subsidies and which programs broke-even. The BOF wanted to have a better understanding of how the money was being spent by the Recreation Department. She asked Mr. Roy if he thought the budget process would go more smoothly this year since the BOF asked the finance department to better track revenues and expenses by program activity. Mr. Thomas said the Finance Department has been working with the Recreation Department and his department has set up more line items for this purpose.

Mr. Thomas agreed to supply the BOF at its next meeting accounting for the summer camp program and other completed activities.

- **BOF meeting schedule for 2011**

Mr. Thompson shared the schedule for the regular BOF meetings for the 2011 year. With the exception of December, all meetings will be held on the fourth Tuesday of each month in the Norma Drummer Room at Town Hall starting at 7:00pm. The December meeting will be held on the third Tuesday of that month.

Item # 8 – Comments from the First Selectman

Mr. Roy reported that letters had gone out to certain department's heads notifying them he wanted to discuss their budgets. Mr. Roy took this action as suggested by the BOF to get an earlier start on the budget process. Mr. Roy stated he felt most departments would be cooperative; however, they are not required to submit their budgets until Feb. 1 as outlined by the town charter.

Mr. Roy mentioned the Public Works Department submitted a grant to replace certain gas equipment and he said the state would reimburse the town up to 85% of the cost.

Mr. Roy also stated he had submitted a grant to CT Main Street Center for technical assistance with a previous grant for signage. This grant would allow the hiring of a professional to secure permits for signage and to ensure the signs would be installed in the appropriate place.

Item # 9 – Report from the Finance Director

Mr. Thomas reported the Finance Department had been focused of late primarily on the audit. Mr. Thomas distributed a letter from the auditor who stated he is behind schedule by a week or two due to a family illness. Mr. Thomas said that the auditor would be here next week. The auditor is nearing completion of the town side of the audit, and after that he will work on the education department.

Item # 10 – Transfer Requests

Motion to approve Control #4 for Town Hall to transfer \$10,000 from Town Counsel Purchased Professional Services to the Legal Settlements account.

Motion: Bill Paecht

Second: Bill Sawicki

Yes: 7

No: 0

Abstain: 0

Item # 11 - Other Business

At the October 26, 2010 meeting a motion was made for the Finance Department to provide the BOF with monthly furlough days/unpaid time off reports. Mr. Thompson reviewed the report with the members of the BOF. Concern was expressed the Highway Department has not taken any furlough days and the snow season is rapidly approaching. Mr. Roy said the

reason for the Highway Department not taking any furlough days is because they never agreed to it, and Town Hall is still negotiating the Highway Departments contract.

Ms. Harmeling presented a calendar and suggestions for budget workshops for the next budget cycle. Mr. Thompson thanked Kristen for her effort in putting together the timeline /calendar of events for the 2011-12 budget process and he suggested it be placed on the agenda for the next meeting.

Item # 12 - Adjournment

Motion to adjourn

Motion: Bill Paecht

Yes: 7

Second: Peter Jezierny

No: 0

0 – Abstain

Meeting was adjourned at 9:06 pm.

Submitted by:

Kelly Breault
Recording Secretary